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Filed : July 28, 2003

IN THE CLAIMS:

Please cancel Claims 1-13 without prejudice or disclaimer.

Please add new Claims 22-29 as follows:

1. (Cancelled) An interactive audio device comprising:
a support configured to be supported on a head of a human;
a least one audio output device configured to output sound audible to a wearer of the audio device; and
means for allowing a wearer of the audio device to browse an aural menu.
2. (Cancelled) An audio device as in Claim 1, wherein the aural menu comprises a plurality of stored humanoid voice sounds corresponding to functions supported by a source device which sends audio signals to the audio output device.
3. (Cancelled) An interactive audio device comprising:
a support configured to be supported on a head of a human;
at least one audio output device supported by the support and configured to output sound audible to a wearer of the audio device;
at least one input device supported by the support and configured to accept inputs from a wearer of the audio device; and
an interface device supported by the support, the interface device being configured to transmit aural menu options to the audio output device and to allow a user select a menu option through actuation of the input device.
4. (Cancelled) An audio device as in Claim 3, wherein the aural menu options comprise a plurality of stored humanoid voice sounds corresponding to functions supported by a source device which sends audio signals to the audio output device.
5. (Cancelled) An audio device as in Claim 3, wherein input device is a microphone.
6. (Cancelled) An audio device as in Claim 3, wherein input device is a button.
7. (Cancelled) An audio device as in Claim 3, wherein the interface device is configured to transmit first signals corresponding to outputs of the input device to a second audio device, to receive second signals from the second audio device corresponding to aural menu options, and to transmit third signals to the audio output device corresponding to the second signals.
8. (Cancelled) A method of browsing through a menu comprising the steps of:

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wearing a wireless audio interface carried by an eyeglass frame, the eyeglass frame comprising at least a first speaker, a first input device, and a short range transceiver for communicating with a source device which is electronically paired with the transceiver;

actuating the first input device;

transmitting a first signal from the transceiver to the source device, the first signal corresponding to the actuation of the first input device;

receiving a second signal from the source device in response to the first signal;

transmitting a third signal corresponding to the second signal, from the transceiver to the first speaker, the third signal corresponding to a first aural menu option.

9. (Cancelled) A method as in Claim 8, further comprising transmitting a fourth signal from the transceiver to the source device, the fourth signal corresponding to a further actuation of the first input device, receiving a fifth signal from the source device in response to the fourth signal, and transmitting a sixth signal corresponding to the fifth signal, from the transceiver to the first speaker, the sixth signal corresponding to a second aural menu option.

10. (Cancelled) A method as in Claim 8, wherein the source device is a cellular telephone.

11. (Cancelled) A method as in Claim 8, wherein the source device is a personal computer.

12. (Cancelled) A method as in Claim 11, wherein the source device is a laptop computer.

13. (Cancelled) A method as in Claim 8, wherein the source device is a palmtop computer.

14. (Original) An eyeglass includes a frame, at least one interactive electronic device supported by the frame, and at least one lens configured to have variable light attenuation.

15. (Original) An eyeglass in accordance with Claim 14, wherein the interactive electronics device comprises an audio interface for a cellular phone.

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16. (Original) An eyeglass in accordance with Claim 14, wherein the interactive electronics device comprises a user operable switch supported by the frame and electronic device controlled by the switch.

17. (Original) An eyeglass in accordance with Claim 14, wherein the least one lens comprises a plurality of spaced substrates, a dichroic dye disposed between the substrates, and a first power source configured to alter an orientation of the dichroic dye.

18. (Original) An eyeglass in accordance with Claim 17, wherein the frame comprises at least a first ear stem, the power source being disposed in the ear stem.

19. (Original) An eyeglass in accordance with Claim 18 additionally comprising a second ear stem, at least a portion of the interactive electronic device being disposed in the second ear stem.

20. (Original) An eyeglass in accordance with Claim 19 additionally comprising a second power source for powering the interactive electronic device disposed in the second ear stem, the first power source being disposed in the first ear stem.

21. (Original) An eyeglass in accordance with Claim 20 additionally comprising a first user operable switch disposed in the first ear stem and configured to control the first power source and the second user operable switch disposed in the second ear stem and configured to control the interactive electronic device.

22. (New) An eyeglass comprising an interactive audio device, at least a first lens, a frame supporting the interactive audio device, the frame including at least a first lens support supporting the first lens, the first lens support being configured to allow the first lens to pivot relative to the frame between at least first and second positions, wherein the lens provides a first magnitude of light attenuation when the first lens is in a first position and less light attenuation when the first lens is pivoted to the second position.

23. (New) The eyeglass according to Claim 22 additionally comprising at least one audio transducer supported by the frame in at least a first position in which the audio transducer directs sound energy toward the ear of a wearer wearing the eyeglass.

24. (New) The eyeglass according to Claim 23 additionally comprising a boom supporting the audio transducer from the frame, the boom having a forward end supported by the frame and a rearward end connected to the audio transducer.

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25. (New) The eyeglass according to Claim 24, wherein the forward end of the boom is connected to the frame with a connector that is configured to allow the forward end of the boom to translate forwardly and rearwardly relative to the frame.

26. (New) The eyeglass according to Claim 25, wherein the forward end of the boom is connected to the frame with a connector that is configured to allow the forward end of the boom to pivot relative to the frame about an axis that is generally parallel to a line of sight of a wearer of the eyeglass.

27. (New) The eyeglass according to Claim 22, wherein the support is configured to allow the first lens to be pivoted about an axis generally perpendicular to vertical when a wearer is wearing the eyeglass.

28. (New) The eyeglass according to Claim 22 additionally comprising a second polarized lens supported by the frame so as to be stationary relative to and in alignment with the first lens, wherein the first lens is also polarized.

29. (New) The eyeglass according to Claim 22, wherein the interactive audio device comprises an MP3 audio player.

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COMMENTS

Claims 14-29 are now pending in the present application, Claims 1-13 having been canceled without prejudice or disclaimer, Claims 22-29 having been added. The claims set forth above include marking to show the changes made by way of the present amendment, deletions being in ~~strikeout~~ and additions being underlined.

In response to the Office Action mailed August 25, 2004, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Election

In response to the outstanding Restriction Requirement, Applicants elect the Claims 14-21 for prosecution in the present application, without traverse. Additionally, Applicants submit that New Claims 22-29 should also be examined with the elected claims.

New Claims 21-29 Are In Condition For Examination

As noted above, Applicants have added new Claims 22-29. These claims are fully supported by the specification as originally filed, thus, no new matter has been introduced.

The undersigned has made a good faith effort to respond to all of the outstanding issues. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

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